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DEC 29 2008**FAX TRANSMISSION****DATE:** December 29, 2008**PTO IDENTIFIER:** Application Number 10/540,494-Conf. #8374  
Patent Number**Inventor:** Chieko Kitada et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP  
Gregory B. Butler, Ph.D., Esq.**PHONE:** (617) 517-5595**Attorney Dkt. #:** 63628(46342)**PAGES (Including Cover Sheet):** 33**CONTENTS:** Certificate of Transmission (1 page)  
Response to Notice of Non-Compliant Amendment (31 pages)

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PTO/SB/97 (08-04)

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Application No. (if known): 10/540,494

Attorney Docket No.: 63628(46342)

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DEC 29 2008

Docket No.: 63628(46342)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Chieko Kitada et al.

Application No.: 10/540,494

Confirmation No.: 8374

Filed: May 30, 2006

Art Unit: 1654

For: METASTIN DERIVATIVES AND USE  
THEREOF

Examiner: C. Bradley

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated August 11, 2008 and a Notice of Non-Compliant Amendment dated December 17, 2008, please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 13 of this paper.